

09214814

EXH. 23



Department of Veterans Affairs

**REPORT OF CONTACT**

(NOTE: This form must be filled out in ink on typewriter as it becomes a permanent record in veterans' folders.)

**VA OFFICE**VA Maryland Health Care System  
(VAMHCS)  
Perry Point, MD 21902

IDENTIFICATION NOS. (C, XC, SS, XSS, V, K, etc.)

LAST NAME-FIRST NAME-MIDDLE NAME OF VETERAN (Type or print)

Annette Ryan LPN CTN (LTC Spinal Cord Injury)

DATE OF CONTACT

3/28/13

ADDRESS OF VETERAN

CTB SCI

TELEPHONE NO. OF VETERAN

( ) - , Ext. 1500

PERSON CONTACTED

I

TYPE OF CONTACT (Check)

☐ PERSONAL ☒ TELEPHONE

ADDRESS OF PERSON CONTACTED

Louis Stokes Cleveland VAMC

TELEPHONE NO. OF PERSON CONTACTED

( ) - , Ext. 4514

**BRIEF STATEMENT OF INFORMATION REQUESTED AND GIVEN**

- 3/28/13: I was notified on email 3/28/13 by Andrea Freeman on their was an allegation of sexual harassment by Annette Ryan LPN on SCI LTC.
- 3/28/13: Email send by Andrea Freeman included the following:  
 "Ms. Ryan alleges that she has been sexually harassed, sexual abused and sexually assaulted by employee M.D. Garrett. She alleges that this has been going on for six months; that alleging Mr. Garrett would take pictures of various parts of her body as she walked past him and then would text them to her on her phone (she has the pictures). She alleges he has pulled her in rooms and allegedly sexually assaulted her. All kinds of stuff. Apparently they came to see me earlier in the afternoon and I was out of the office so they went to AFGE Local 31 who directed them to Police Service. They filed a report with Police also. (she is being assisted by her co-worker (Roseanne McDevitt). Because she is very fragile and so upset, she was sent home for the day. She is also alleging bullying and wants to be moved. The parties need to be separated and you usually move the alleged harasser.
- 3/28/13: I met with Ms Ryan and a union representative on 3/28/13 at approximately 5:15PM to interview her on the alleged incident(s) to offer her rights to the EEO process and their phone number (Ms. Ryan also saw EEO on 3/28/13, union representative during the fact finding process( union representation was with her 3/28/13), to offer EAP and their phone number for counseling, and provided her with emotional support during our entire conversation with the Union present. Ms. Ryan cried during most of interview.
  - Ms Ryan stated that that she and MD Garrett started off as friends second shift on SCI-LTC and the situation advanced
  - They worked the same hallway, but he became sexually aggressive with her (in last 6 months or so)
  - Pushed her into linen closet and had physical sexual advances towards her (on occasion)
  - Attempted to kiss her 5 or 6 times (no dates)
  - Moved his van to be close or next to her car (frequently)
  - Pinned her up against her car and kissed her with his tongue on or in her lips ( Ms. Ryan cried profusely)
  - States I want to straddle you (on occasion)
  - Licks his fingers and tell her he needs food meaning her (incident)
  - Takes his hand and puts it on him to hold his penis (on occasion)
  - States "Your nipples are so hard" (incident)
  - Told her she has a "Camel toe" and took picks of her front and backside, then sent them to her phone (She showed them to me)
  - She also recorded his voice on her phone when he stated sexually explicit messages to her (I listened) Difficult to understand.
  - States she went to Cleveland Police today, EEO, and talked with Federal agents. States they told her not to work here. She said he bullies others as well including Roseanne McDivett) States she lives in Tallmadge and he(MD Garrett) lives close to her. States she is very afraid of him and cannot work her because of fear.
- Ms. Ryan asked not to work Sunday and I told her to call me on 3/29/13 and this was granted in AA. She additionally granted AA for several more days, then full FLMA, then Advanced SL, and then additional leave without pay. She has not returned to work since 3/28/13.
- I notified my supervisor immediately and sent her documentation.
- I completed all necessary documentation for her EEO complaint and offered her time off and EAP in the presence of the Union
- I offered Ms. Ryan emotional support, kindness, and in a very caring manner, time off, EAP, and whatever she needed. Said she could call me at any time for whatever she needed.
- 3/28/13: Contacted Bridgette Longino-Thomas (Labor Management) and placed MD Garrett NA on SCI LTC (alleged perpetrator) on leave for investigative reasons per hospital administration through a written letter that the VA police issued. He has not ever returned to SCI-LTC.
- Ms. Ryan never asked and was never denied workman's compensation, nor was the conversation brought up to myself at any point in time.
- I would never retaliate against Ms. Ryan and care for her as an LPN on SCI-LTC. I would gladly welcome her back at any time.

DIVISION OR SECTION

Nursing

EXECUTED BY (Signature and Title)

Elizabeth Noelker MSN RN Associate Chief Nurse of LTC and SCI

Elizabeth A Noelker MSN RN